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U.S. DISTRICT COURT
DISTRICT OF MASS.

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U.S. DISTRICT COURT
DISTRICT OF MASS.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
BOSTON DIVISION

-----X
CAPTAIN SHERIFF SAUDI,

Petitioner,

04 - MC - 10015 (to be assigned)

- against -

GREGORY DOYLE,

Respondent,

-----X
**MOTION FOR AN EXTENSION OF TIME
TO RESPOND TO PETITIONER'S
MOTION FOR CONTEMPT**

In accordance with the Attorney Handbook (page 10), published by The Clerk's Office of the United States District Court for the District of Massachusetts, the Respondent, Gregory Doyle, represented by the undersigned, a Member in good standing of the New York State Bar, respectfully requests a two week extension for which to file a response and opposition to the Motion for Contempt that was filed by the petitioner, Captain Sheriff Saudi.

It appears the petitioner's Motion for Contempt was filed with the District of Massachusetts and served on or about January 8, 2004. In accordance with Local Rule 7.1 (b)(2),

it is my understanding that the time for the respondent to file its opposition to the motion would be on or about Thursday, January 22, 2004.

It is respectfully submitted that the extension of time requested is warranted in the circumstances of this case for the following reasons:

1. The undersigned did not receive the Motion for Contempt until late last week.
2. The respondent, Mr. Gregory Doyle, who is a resident of Massachusetts, intends to oppose the petitioner's Motion for Contempt. In brief, Mr. Doyle maintains that he cannot be held in contempt because the Subpoena upon which the motion is based was never served on Mr. Doyle.
3. The underlying action, from which the Subpoena was generated, is pending in the United States District Court for the Eastern District of New York, with reference 02 CV 2495 (JG)(LB), and the undersigned has been representing Mr. Doyle in connection with that action.
4. In point of fact, before the present Motion was served, the undersigned had already made an application with Magistrate Judge Lois Bloom of the United States District Court for the Eastern District of New York for a Protective Order on behalf of Mr. Doyle in connection with the petitioner's attempts to enforce and hold Mr. Doyle in contempt with respect to the Subpoena at issue. The application made to Magistrate Judge Lois Bloom in United States District Court for the Eastern District of New York is still pending.
5. Although the undersigned is a Member of the Federal Bar for the Southern and Eastern Districts of New York, there are no disciplinary proceedings pending against the undersigned in any jurisdiction and I am familiar with the Local Rules of the United States District Court for the District of Massachusetts, the undersigned is not a Member of the Bar for the District of Massachusetts. Consequently, in accordance with Local Rule 83.5.3, I need to obtain local counsel who can file an appearance on behalf of Mr. Doyle

and who can present the undersigned's application for leave to practice in this court *pro hac vice*. I am presently making arrangement to accomplish that, but I need to have the authority from Mr. Doyle to do.

6. In order to present a proper opposition to the Motion for Contempt, the undersigned needs to obtain an affidavit from Mr. Gregory Doyle in order to establish that he should not be held in contempt. Mr. Doyle is not, however, presently in the State of Massachusetts, but is away in the State of Florida. Consequently, I need some time to obtain the appropriate evidence from Mr. Doyle.
7. The petitioner will not suffer any prejudice if the extension is granted.

WHEREFORE, it is respectfully submitted that the Petitioner be granted an extension of time, up to and including, February 5, 2004 for which to submit his Opposition to the Motion for Contempt that is dated January 8, 2004.

Dated: January 21, 2004
Port Washington, New York

Respectfully submitted,



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